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Whewell, 122 Wis. 33, 99 N. W. 599, which decided the precise point herein involved as the court has in the principal case. The majority of the courts have, however, inclined to sustain similar actions on the principle of comity. In an action by the same receiver and for the same purpose as that in the principal case, the Massachusetts court sustained the action. *Converse v. Ayer*, 197 Mass. 443, 84 N. E. 98. VANN, J., in giving the opinion of the court in *Howarth v. Angle*, 162 N. Y. 179, says, "When an action by a foreign receiver to collect assets, under the authority of the court which appointed him, works no detriment to any citizen of this state, and is not repugnant to its policy, it would be a provincial and narrow view for our courts to refuse to extend the usual state comity." In a case where the statute confers a right upon a receiver, as quasi assignee, and representative of the creditors, and as such vested with authority to maintain an action, the receiver may sue in a foreign jurisdiction. *Bernheimer v. Converse*, 206 U. S. 516, 27 Sup. Ct. 755, 51 L. Ed. 1163. For other similar holdings, see *Guernsey v. Moore*, 131 Mo. 650; *Aultman's Appeal*, 98 Pa. St. 505; *Flash v. Conn*, 109 U. S. 371; *Howarth v. Lombard*, 175 Mass. 570, 56 N. E. 888.

DAMAGES—FOR INTERFERENCE WITH EMPLOYMENT—MENTAL SUFFERING AN ELEMENT.—Plaintiff, refused admission to a union, is maliciously kept out of employment by the defendants, who procure his discharge through the threat of strikes upon his employers and through fear of bodily injury to himself. In an action in tort against the defendants, the walking delegate et al., for the torts to plaintiff's person and for malicious interference with his means of livelihood, *held*, his trade and the contracts by which he is employed are in the nature of property, therefore he is entitled to damages for mental suffering caused by the malicious interference with this property, in addition to damages for his pecuniary loss. *Carter v. Oster* (1908), — Mo. App. —, 112 S. W. 995.

Third parties are liable for inducing breaches of contract by unlawful methods. *Lumley v. Gye*, 2 El. & Bl. 216; *Angle v. Chi., St. P., etc., Ry.*, 151 U. S. 1; *Moran v. Dunphy*, 177 Mass. 485. A conspiracy to deprive one of the benefit of a contract with another is unlawful. *Garst v. Charles*, 187 Mass. 144. Interference with one's employment amounting to intimidation gives a right of action for damages. *O'Neil v. Behanna*, 182 Pa. St. 236. The general rule seems to be that in the absence of statute, mental suffering is only the subject of damages when connected with bodily injury. *Connell v. West. Union Tel. Co.*, 116 Mo. 34; *Pittsburg C. C. & St. L. v. Story*, 63 Ill. App. 239; *Chicago v. McLean*, 133 Ill. 148; *Shellabarger v. Morris*, 115 Mo. App. 566; *Beaulieu v. Great Northern*, 103 Minn. 47. The decision in the principal case is based on the principle of *Moyer v. Gordon*, 113 Ind. 282, and *Fillebroven v. Hoar*, 124 Mass. 580, where in the case of wrongful eviction and malicious interference with property, damages for mental suffering were allowed.

DEDICATION — ACCEPTANCE — ORDINANCE FIXING GRADE.—A street was dedicated to the defendant city. In 1899 the defendant adopted an ordinance establishing the grade of several streets, among them this street. An owner

of abutting property constructed a barbed wire fence along the south line of the street. On the night of December 1, 1906, plaintiff was driving his horse on the street in question, and by reason of the darkness ran into the barbed-wire fence. *Held*, the dedication of a public way to a public use does not per se make it a public highway so as to require the municipality to keep such way in a reasonably safe condition for such use, without proof of acceptance by the corporation, and the adoption of an ordinance establishing the grade of a dedicated street is insufficient to show such an acceptance. *Atkinson v. City of Nevada* (1908), — Mo. App. —, 112 S. W. 1022.

It would seem, on reason and authority, that there was such an acceptance of the dedication here as to complete the dedication for all ordinary purposes, and a sufficient acceptance and assumption of jurisdiction over the highway to charge defendant with its maintenance in safe condition. "When the dedication is beneficial to the public an acceptance will usually be implied from slight circumstances or from user by the public for the purposes for which dedicated." 9 AM. & ENG. ENCYC. OF LAW, 2nd Ed., p. 45; ELLIOTT, ROADS AND STREETS, Ed. 2, § 152; ANGELL, HIGHWAYS, Ed. 3, § 162; *Hobbs v. Lowell*, 19 Pick. 405. Where there is a complete dedication no acceptance is required. *Myers v. City of Oceanside*, — Cal. App. —, 93 Pac. 686. Use by the public, adoption of an ordinance establishing the grade, and extending the street by condemnation, are held to be in acceptance of a dedicated street. *Meiners v. City of St. Louis*, 130 Mo. 274, 32 S. W. 637. Passage of an ordinance authorizing turnpike company to macadamize and keep in repair a dedicated road held to be evidence of an acceptance. *Town of Versailles v. Versailles & Mt. V. T. P. R. Co.*, 8 Ky. Law Rep. 704. The passage of an ordinance by a common council directing the construction of a sewer through land which has been tendered as a highway will amount to an acceptance of the tender. *Matter of Hunter*, 163 N. Y. 542; *Burroughs v. City of Cherokee*, 134 Ia. 429, 109 N. W. 876. A resolution of the common council authorizing the construction of a railroad through land dedicated to the city as a street is effective as an acceptance by the city of the offer to dedicate. *Michigan Cent. R. Co. v. City of Bay City*, 129 Mich. 264, 88 N. W. 638. But, "in some cases, so far as the dedication is concerned, a dedication will be deemed complete, while as to the public authorities there may not have been such an acceptance as would render them responsible for the repair and keeping of the premises dedicated." Note to *State v. Trask*, 27 Am. Dec. 554, 563. The principal case is based on *Ely v. St. Louis*, 181 Mo. 723, 81 S. W. 168; and *Ruppenthal v. St. Louis*, 190 Mo. 213, 88 S. W. 612, which seem, however, to be distinguishable from it.

DEEDS—ACKNOWLEDGMENT TAKEN BY OFFICER AND STOCKHOLDER OF CORPORATION GRANTOR.—Where an acknowledgment by stockholders of a mining corporation, of a consent to a deed executed and signed by the president and secretary thereof, was taken before the secretary, who was a stockholder in the corporation and a notary public; *held*, that the acknowledgment was valid, since the officer taking it took no beneficial interest under the conveyance. *Greve v. Echo Oil Co.* (1908), — Cal. App. —, 96 Pac. 904.